

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

ALLAN MOORE,

Case No. 2:24-cv-01903-JAD-EJY

Plaintiff,

V.

CLARK COUNTY CORONER, CLARK  
COUNTY, HOMICIDE DET. TIM, LV  
POLICE OFC PHILIP,

## REPORT AND RECOMMENDATION

## Defendants.

11        This action commenced when Plaintiff, proceeding *pro se*, submitted a Civil Rights  
12      Complaint on October 11, 2024, but did not file an application to proceed *in forma pauperis* (“IFP”)  
13      or pay the required filing fee for a civil action. ECF No. 2-2. The Court issued an Order on October  
14      16, 2024, giving Plaintiff through and including November 29, 2024 to file an IFP application or pay  
15      the filing fee. ECF No. 3. The Court ordered the Clerk of Court to send Plaintiff the IFP application  
16      for inmates along with the information and instructions for filing the same. *Id.* The Court explained  
17      that if Plaintiff failed to comply with the Order it would recommend dismissal of this action without  
18      prejudice. *Id.* at 2. As of the date of this Recommendation, Plaintiff has not complied with the  
19      Court’s Order.

20 Accordingly, IT IS HEREBY RECOMMENDED that this matter be dismissed without  
21 prejudice for failure to comply with the Court's Order.

Dated this 6th day of December, 2024.

Elayna J. Youchah  
ELAYNA J. YOUCHAH  
UNITED STATES MAGISTRATE JUDGE

## **NOTICE**

Under Local Rule IB 3-2, any objection to this Report and Recommendation must be in writing and filed with the Clerk of the Court within fourteen (14) days. The Supreme Court holds that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). The Ninth Circuit also holds that (1) failure to file objections within the specified time, and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).